



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,577	08/30/2001	Chin-Wen Chou	CHOU3051/EM/7175	6387

23364 7590 07/08/2004
BACON & THOMAS, PLLC
625 SLATERS LANE
FOURTH FLOOR
ALEXANDRIA, VA 22314

EXAMINER

MAI, TAN V

ART UNIT PAPER NUMBER

2124

DATE MAILED: 07/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/941,577

Applicant(s)

CHOU, CHIN-WEN

Examiner

Tan V Mai

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2124

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. The drawings are objected to because the label "PC?" (Fig. 4, bottom) seems to be incorrect. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
3. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per independent claim 1, it is unclear whether or not the term "a calculator device" (lines 1-2) is the same as "[a] calculator" (line 1). The phrase "a power supply detection unit for detecting power supply source" (lines 5-6) is unclear whether it detects power "on/off" or detects "power supply is provide by the battery or the computer" [as mentioned in the specification, page 4, lines 7-9]. Although the claim recites "a processing unit" (line 7), the claim fails to recite the essential function of the processing unit, e.g., performing calculation functions. Clarification is requested.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 2124

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 4-6 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grant '078 or Grant '097.

As per independent claim 1, Grant '078 and Grant '097 disclose (e.g., see Fig. 7) keyboards which are capable of performing either "keypad operation" and "numeric calculation [via a computer]" (e.g. see Grant '078, col. 6, lines 5-15 or Grant '097, col. 7, lines 37-47). It is noted that Grant's references do NOT specifically detail the claimed "power supply detection unit" and "processing unit"; however, these features are obvious to a person having ordinary skill in the art because the keyboard should have means for receiving power supply and "processing means" for communicating with the computer. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to design the claimed invention according to Grant's teachings because the references are keyboards which are capable of performing either "keypad operation" and "numeric calculation [via a computer]" as claimed.

As per dependent claim 2, Grant 's keyboards should have means for receiving power supply.

As per dependent claims 4-6, Grant 's keyboards should have "switch button keys" for selecting the desired function of keys.

As per dependent claim 8, Grant 's keyboards should have display means for displaying the key mode.

As per dependent claim 9, the detail feature is obvious design choice.

Art Unit: 2124

As per dependent claim 10, Grant 's keyboards should have means for communicating with the computer.

6. Claims 1-7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chou.

As per independent claim 1, Chou discloses a handset type **computers** and handset **interfaces**. Also, see paragraph [0005] "...wherein the setting of handset type computers and handset interfaces of the present invention has the **function of e-mail**, exchange rate conversion, **calculator**, translation, multimedia, receiving network program, etc". It is noted that Chou does NOT specifically detail the claimed "power supply detection unit" and "USB interface unit"; however, these features are obvious to a person having ordinary skill in the art because the device should have means for receiving power supply and "interface means" for communicating with other device(s). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to design the claimed invention according to Chou's teachings because the reference is a device which is capable of performing either "keypad operation" and "numeric calculation" as claimed.

As per dependent claims 2-3, Chou 's device should have means for receiving power supply.

As per dependent claims 4-6, Chou 's device should have equivalent "switch button keys" for selecting the desired function of keys.

Art Unit: 2124

As per dependent claim 7, Chou 's device has display means for displaying the calculation results.

As per dependent claim 10, Chou 's device should have means for interfacing with other device(s).

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cited references are art of interest.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan V. Mai whose telephone number is (703) 305-9761. The examiner can normally be reached on Tue-Fri from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki, can be reached on (703) 305-9662. The fax phone numbers for the organization where this application or proceeding is assigned are:

After-final (703) 746-7238

Official (703) 746-7239

Non-Official/Draft (703) 746-7240.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



TAN V. MAI
PRIMARY EXAMINER